PROCEEDINGS OF THE CITY-PARISH COUNCIL MEETING OF THE CITY-PARISH OF LAFAYETTE, STATE OF LOUISIANA, TAKEN AT A REGULAR MEETING OF DECEMBER 16, 2003.

#### **ATTENDANCE**

**COUNCIL:** Jerry Trumps (Chair - District 6), Robert Castille (Vice Chair - District 2), Bobby Badeaux (District 1), Chris Williams (District 3), Louis C. Benjamin, Jr. (District 4), Lenwood Broussard (District 5), Marc Mouton (District 7), Rob Stevenson (District 8), Randy Menard (District 9)

ABSENT: None

**COUNCIL STAFF:** Norma Dugas (Clerk of the Council), Anne Patin (Senior Administrative Assistant)

**ADMINISTRATIVE STAFF:** Glenn Weber (CAO), Becky Lalumia (Associate CAO/Finance Management), Benny Soulier (Director of Administrative Services), Chief Ronald Boudreaux (Police Department), Chief Robert Benoit (Fire Department), Terry Huval (Utilities Director), Steve Dupuis (Legal Counsel), Tony Tramel (Director of Transportation)

## **COMMENCEMENT**

(TAPE 1)(SIDE B)(186) AGENDA ITEM NO. 1: Call to order.

Chair Jerry Trumps called the Regular Council Meeting of December 16, 2003 to order.

(TAPE 1)(SIDE B)(187) AGENDA ITEM NO. 2: Invocation and Pledge of Allegiance.

Councilmember Marc Mouton was called upon to deliver the invocation and lead the Pledge of Allegiance.

(TAPE 1)(SIDE B)(210) **EXECUTIVE/PRESIDENT'S REPORT** 

Bob Sides, member of CODA, was recognized. Mr. Sides invited the Council to the CODA Banquet on January 9, 2004 at 7:00 p.m. at the Holidome. Guest speaker will be newly elected Lafayette City-Parish President Joey Durel.

Lynn Guidry and John Freeman, Co-Chairs of Rebuild Lafayette North were recognized. The Administration and Council recognized Mr. Freeman for his outstanding contributions to the community as outgoing Co-Chair of the Committee for Rebuild Lafayette North.

(TAPE 1)(SIDE B)(348) AGENDA ITEM NO. 3: COUNCIL ANNOUNCEMENTS

No announcements.

## **RESOLUTIONS**

(TAPE 1)(SIDE B)(352) <u>AGENDA ITEM NO. 4</u>: <u>R-079-2003</u> A resolution of the Lafayette City-Parish Council making an appointment to the Lafayette Metropolitan Expressway Commission.

Councilmember Menard nominated Elaine Abel; Councilmember Broussard nominated Roger Lehmann (Mr. Lehmann had withdrawn his name); and Councilmember Benjamin nominated Howard McZeal.

The Chair called for a vote on the nominations:

E. ABEL: Badeaux, Castille, Trumps, Mouton, Stevenson, Menard

H. MCZEAL: Williams, Benjamin, Broussard *Motion was approved to appoint Elaine Abel.* 

The Chair then called for a vote on the resolution, as amended, and the vote was as follows:

YEAS: Badeaux, Castille, Williams, Benjamin, Broussard, Trumps, Mouton, Stevenson, Menard

NAYS: None ABSENT: None RECUSED: None

Motion was unanimously approved.

Williams then requested that the Clerk forward the resolution to Jerry Luke LeBlanc to ensure diversity on the appointments to the Lafayette Metropolitan Expressway Commission.

(TAPE 1)(SIDE B)(427) <u>AGENDA ITEM NO. 5</u>: <u>R-080-2003</u> A resolution of the Lafayette City-Parish Council approving the sale, issuance and delivery of \$2,800,000 of water revenue bonds, Series 2004, of Lafayette Parish Waterworks District North, Lafayette Parish, Louisiana, motion to adopt by Menard, seconded by Broussard, and the vote was as follows:

YEAS: Badeaux, Castille, Williams, Benjamin, Broussard, Trumps, Mouton, Stevenson, Menard

NAYS: None ABSENT: None RECUSED: None

Motion was unanimously approved.

(TAPE 1)(SIDE B)(429) <u>AGENDA ITEM NO. 6</u>: <u>R-081-2003</u> A resolution of the Lafayette City-Parish Council authorizing the Lafayette City-Parish President to execute an affidavit clarifying the terms and conditions set forth in that certain Act of Exchange of Property between the Police Jury of the Parish of Lafayette, the Department of Highways of the State of Louisiana, and the Department of Public Safety for the State of Louisiana dated July 11, 1963, motion to adopt by Menard, seconded by Castille, and the vote was as follows:

YEAS: Badeaux, Castille, Williams, Benjamin, Broussard, Trumps, Mouton, Stevenson, Menard

NAYS: None ABSENT: None RECUSED: None

Motion was unanimously approved.

#### ORDINANCES FOR FINAL ADOPTION

(TAPE 1)(SIDE B)(445) <u>AGENDA ITEM NO. 7</u>: <u>O-307-2003</u> An ordinance of the Lafayette City-Parish Council accepting the findings of the State Division of Administration, State Land Office, for the re-establishment of the parish boundary lines between Lafayette and Vermilion Parishes, motion to adopt by Castille, seconded by Broussard.

Campbell opened discussion by giving a short presentation and stated that the new boundary lines will sever two houses and two mobile homes. The map presented to the Council was the Parish map with an overlay of the State's findings.

Upon questioning by Trumps regarding the homes severed by the new boundary line, Assessor Conrad Comeaux stated that the Vermilion Parish Assessor and he would meet with the landowner and work out where it is they would prefer to have their residence located. In some cases, it is obvious because it cuts just a corner of the house. The majority of the house and the driveway are in one parish. In other cases, it's just the opposite. Benjamin explained that the law says that you are prescribed to attend school in the parish you belong to because that's where your tax base is.

## The following individuals were recognized:

Louis Kellogg stated he was in favor of letting the people decide which parish they want to reside.

Bobby Duhon stated there were 47 families who signed the petition and 33 children who will have to change schools. He did not want to be in Vermilion Parish.

Aaron Duhon stated it would cost more to live in Vermilion Parish. As an example, he reminded the Council that Vermilion is a coastal parish so his homeowners insurance will go up over \$500 per year. He urged the Council to defeat the ordinance.

Don Bertrand produced documents from the national archives in Washington, D. C., regarding the boundary lines, to the Council. It included a survey done in 1864. He suggested that professionals be allowed to research the boundary line instead of the half-hearted efforts of the State. Campbell rebutted that the 1864 survey was not stamped or signed by a surveyor. The final report from Mr. Evans (from the State) explained how he went about getting the lines that he established. Menard stated if there was a question in his mind whether it was correct or not, then

he has a problem with that. He then moved to defer so that the surveyor could be asked if the 1864 survey was considered, seconded by Mouton, and the vote was as follows:

YEAS: Trumps, Mouton, Stevenson, Menard

NAYS: Badeaux, Castille, Williams, Benjamin, Broussard

ABSENT: None RECUSED: None *Motion failed.* 

In light of the motion, Menard stated he would vote against the original ordinance considering the doubt regarding the 1864 survey.

Jeffrey Landry asked what happens to the taxes these residents pay when they convert over to the other parish? He felt the boundary should be changed for voting purposes only.

The Clerk then reported that there were no other speakers; however, there were 115 blue cards received in opposition to the ordinance.

Broussard rebutted Bertrand stating that the green line he had drawn on the map was supposed to represent the Lafayette/Vermilion Parish line and does not even come close to the new boundary line. If this were the case, Maurice would have been in Lafayette Parish. The current Lafayette Parish map has been as accurate as any map the Parish has had. You cannot fall back and take two maps, not stamped, from an unofficial expert and say they are correct. Menard reiterated his concerns.

Stevenson opined that if Bertrand's documents were relevant then the Council would be making a mistake and did not see the harm in deferring the ordinance for two more weeks.

An amendment was offered by Broussard, seconded by Castille *to* change Section 2 as follows: The Lafayette City-Parish President, on behalf of the LCG is hereby directed to sign any documents, maps, etc. accepting the findings of the State. Since Castille was the maker of the original motion and Broussard was the second, the Chair accepted the amendment

The Chair then called for a vote on the original ordinance as amended, and the vote was as follows:

YEAS: Badeaux, Castille, Williams, Benjamin, Broussard, Trumps

NAYS: Mouton, Stevenson, Menard

ABSENT: None RECUSED: None Motion was approved.

(TAPE 2)(SIDE A)(340) <u>AGENDA ITEM NO. 8</u>: <u>O-313-2003</u> An ordinance of the Lafayette City-Parish Council authorizing the Lafayette City-Parish Consolidated Government to sell one (1) surplus Thompson machine gun which is no longer needed for public purposes to Barney's, Inc for a total quoted price of \$7,001.00, motion to adopt by Menard, seconded by Castille.

Jody Williamson, Purchasing Manager, stated that one other bid was received, which was \$4,000 less than the high bid. The bidder will have to subscribe to whatever the regulation is for Class A Firearms license. The gun was not being used for many years by the Police Department; however, it is operable.

A substitute motion was offered by Benjamin, seconded by Stevenson to donate (not to be sold) the surplus Thompson machine gun to the National Guard Museum. If it should leave the National Guard Museum, it will be returned to LCG. Dupuis suggested that the Council reject this ordinance and propose a new ordinance to donate. *Benjamin withdrew his motion*.

Tim Heinzen, Barney's, Inc., explained for a Class III firearm, which is licensed and regulated by ATF, in order for it to go to a museum the gun has to be made permanently inoperable. At that point, you have also devalued the gun as worthless.

Castille reminded that this machine gun was part of a group bid several months ago. He pulled it from the package because it is an antique and should go to a Class A arms collector, which he assumed Barney's was.

Williams requested that Williamson provide some research on what is the market value of the Thompson now.

The Chair then called for a vote on the motion, and the vote was as follows:

YEAS: Castille, Broussard, Menard

NAYS: Badeaux, Williams, Benjamin, Trumps, Stevenson, Mouton

ABSENT: None RECUSED: None *Motion failed.* 

At this point, Mouton introduced Steven Theriot, Troop 162 from Westminster Christian Academy. Theriot was working on his Tender Foot Merit Badge, Second Class and Citizenship in the Community.

(TAPE 2)(SIDE B)(010) <u>AGENDA ITEM NO. 9</u>: <u>O-320-2003</u> An ordinance of the Lafayette City-Parish Council authorizing the Lafayette City-Parish President, Walter Comeaux, to execute an Act of Cash Sale whereby the Lafayette City-Parish Consolidated Government will sell certain real estate located in St. Landry Parish, Louisiana, to Shawnee Farms, L.L.C., motion to adopt by Williams, seconded by Stevenson, and the vote was as follows:

YEAS: Badeaux, Castille, Williams, Benjamin, Trumps, Mouton, Stevenson, Menard

NAYS: None

ABSENT: Broussard RECUSED: None

Motion was unanimously approved.

Benjamin stated that at a National League of Cities Conference, he learned that governments were using E-Bay to sell surplus items and property. The attorney presenting the information said it was not unconstitutional.

(TAPE 2)(SIDE B)(037) <u>AGENDA ITEM NO. 10</u>: <u>O-323-2003</u> An ordinance of the Lafayette City-Parish Council providing for the abandonment of a portion of a utility easement on Lots 57 and 58 of Brookhollow Subdivision, having municipal addresses of 302 Creekside Drive and 300 Creekside Drive, respectively, motion to adopt by Menard, seconded by Mouton, and the vote was as follows:

YEAS: Badeaux, Castille, Williams, Benjamin, Trumps, Mouton, Stevenson, Menard

NAYS: None ABSENT: Broussard RECUSED: None

Motion was unanimously approved.

The Clerk reported that Richard Johnson signed in to support of the ordinance but did not wish to speak.

(TAPE 2)(SIDE B)(049) <u>AGENDA ITEM NO. 11</u>: <u>O-324-2003</u> An ordinance of the Lafayette City-Parish Council amending the FY 03/04 Operating Budget of the Lafayette City-Parish Consolidated Government, to adjust court reporters' salaries for Lafayette's share in accordance with Louisiana R.S. 13:961 by increasing Parish General Fund PY Fund Balance by \$1,266.00 and increasing appropriations within the Division of the District Court Judges by \$1,266.00, motion to adopt by Benjamin, seconded by Menard, and the vote was as follows:

YEAS: Badeaux, Castille, Williams, Benjamin, Trumps, Mouton, Stevenson, Menard

NAYS: None

ABSENT: Broussard RECUSED: None

Motion was unanimously approved.

(TAPE 2)(SIDE B)(061) <u>AGENDA ITEM NO. 12</u>: <u>O-325-2003</u> An ordinance of the Lafayette City-Parish Council funding the Lafayette City-Parish Consolidated Government's share of the cost of pay increases for two employees of the Registrar of Voters' Office classified under the State of Louisiana's Civil Service System, motion to adopt by Castille, seconded by Williams, and the vote was as follows:

YEAS: Badeaux, Castille, Williams, Benjamin, Trumps, Mouton, Stevenson, Menard

NAYS: None

ABSENT: Broussard RECUSED: None

Motion was unanimously approved.

Registrar of Voters Steve Bernard explained that this is one of the state mandates. Two of the

employees were given a 10% increase by the current Commissioner of Elections office. The State pays half and the Parish pays the other half.

(TAPE 2)(SIDE B)(087) <u>AGENDA ITEM NO. 13</u>: <u>O-326-2003</u> An ordinance of the Lafayette City-Parish Council amending the FY 03/04 Operating Budget of the Lafayette City-Parish Consolidated Government by authorizing the receipt of additional Workforce Investment Act (WIA) revenues, funds under the Workforce Investment Act Section 503, Incentive Grants, in the amount of \$125,000 received from the Louisiana Department of Labor for exceeding performance standards, and by reallocating salaries and benefits in the WIA Youth Allocation in the amount of \$17,640 and in the WIA Dislocated Worker Allocation in the amount of \$4,167, as a result of the receipt of these new funds, and appropriating same within the Department of Community Development, Workforce Development Division, and the Department of Administrative Services, Workforce Investment Board Division Title I-B Budgets, motion to adopt by Benjamin, seconded by Castille, and the vote was as follows:

YEAS: Badeaux, Castille, Williams, Benjamin, Trumps, Mouton, Stevenson, Menard

NAYS: None ABSENT: Broussard RECUSED: None

Motion was unanimously approved.

(TAPE 2)(SIDE B)(121) <u>AGENDA ITEM NO. 14</u>: <u>O-327-2003</u> An ordinance of the Lafayette City-Parish Council amending the FY 03/04 Operating Budget of the Lafayette City-Parish Consolidated Government by authorizing the reduction of Workforce Investment Act (WIA) revenues, from Adult and Dislocated Worker funds in the amount of \$3,455 and \$2,527 respectively and reduce same within the Department of Community Development, Workforce Development Division and the Department of Administrative Services, Workforce Investment Board Division Title I-B Budgets, motion to adopt by Benjamin, seconded by Mouton, and the vote was as follows:

YEAS: Badeaux, Castille, Williams, Benjamin, Broussard, Trumps, Mouton, Stevenson, Menard

NAYS: None ABSENT: None RECUSED: None

Motion was unanimously approved.

(TAPE 2)(SIDE B)(135) <u>AGENDA ITEM NO. 15</u>: <u>O-328-2003</u> An ordinance of the Lafayette City-Parish Council amending the FY 03/04 Operating Budget of the Lafayette City-Parish Consolidated Government by increasing revenues in the amount of \$14,116.00 received from the United States Department of Justice, Drug Enforcement Administration (hereinafter "DEA"), appropriating to the Lafayette City Police Department (hereinafter "LPD") for the reimbursement to the LPD for overtime payments made to one LPD officer assigned to the Lafayette Post of Duty Task Force, motion to adopt by Menard, seconded by Castille, and the vote was as follows:

YEAS: Badeaux, Castille, Williams, Benjamin, Broussard, Trumps, Mouton, Stevenson, Menard

NAYS: None ABSENT: None RECUSED: None

Motion was unanimously approved.

Upon questioning by Williams, Chief Boudreaux stated this was for 1 officer. He is assigned to the DEA Task Force where they do investigations on high-level drug trafficking.

(TAPE 2)(SIDE B)(156) <u>AGENDA ITEM NO. 16</u>: <u>O-329-2003</u> An ordinance of the Lafayette City-Parish Council amending the FY 03/04 Operating Budget of the Lafayette City-Parish Consolidated Government by increasing revenues from the State of Louisiana Department of Agriculture and Forestry and appropriating \$45,000 for the Tree Canopy Project within the Department of Public Works, motion to adopt by Stevenson, seconded by Menard, and the vote was as follows:

YEAS: Badeaux, Castille, Williams, Benjamin, Broussard, Trumps, Mouton, Stevenson, Menard

NAYS: None ABSENT: None RECUSED: None

Motion was unanimously approved.

Joe Maniscalco, Associate Public Works Director, explained that this refers to what was torn up by the storm in the existing canopy across the Parish. It is a term used by the State. The trees do not have to be planted back in the same location because many of the trees were on private

property. The five areas picked for planting are the new Soccer Complex at Moore Park, Bluebird Drive Corridor, Downtown Jefferson Street area, Teurlings Drive Corridor and the greenbelt of the Camellia Corridor. The total amount of trees to be planted is 200. LCG will provide labor at in-kind service to match the State funding.

(TAPE 2)(SIDE B)(251) <u>AGENDA ITEM NO. 17</u>: <u>O-330-2003</u> An ordinance of the Lafayette City-Parish Council amending the FY 03/04 Operating Budget of the Lafayette City-Parish Consolidated Government by transferring \$630,000 from Eraste Landry Widening - Phase I Project to Reserve – Streets, motion to adopt by Mouton, seconded by Stevenson, and the vote was as follows:

YEAS: Badeaux, Castille, Williams, Benjamin, Broussard, Trumps, Mouton, Stevenson, Menard

NAYS: None ABSENT: None RECUSED: None

Motion was unanimously approved.

Upon questioning by Williams, Logan stated there was another section of the project labeled *Phase 2-A*. There is one piece of right of way left to acquire and LCG is in an expropriation suit with the property owner. They have agreed to let LCG have title to the property and then go to court to negotiate the payment. Phase 2-A is from the coulee at Channel 3 to Cajundome Blvd. and Phase 2-B is from Cajundome Blvd. to Cameron (no construction funding available; 3 lanes only). Badeaux asked for the total cost of the first phase. Logan answered a little over \$7,500,000.

(TAPE 2)(SIDE B)(296) <u>AGENDA ITEM NO. 18</u>: <u>O-331-2003</u> An ordinance of the Lafayette City-Parish Council amending the FY 03/04 Operating Budget of the Lafayette City-Parish Consolidated Government by transferring \$630,000 from Reserve - Streets to Johnston St./S. College Rd. Turn Lanes Project within the Department of Public Works for additional funding needed, motion to adopt by Broussard, seconded by Menard, and the vote was as follows:

YEAS: Badeaux, Castille, Williams, Benjamin, Broussard, Trumps, Mouton, Stevenson, Menard

NAYS: None ABSENT: None RECUSED: None

Motion was unanimously approved.

Trumps and Stevenson urged support of this ordinance.

(TAPE 2)(SIDE B)(316) <u>AGENDA ITEM NO. 19</u>: <u>O-332-2003</u> An ordinance of the Lafayette City-Parish Council amending the FY 03/04 Operating Budget of the Lafayette City-Parish Consolidated Government by appropriating funds for the existing FOCA-New Roofs and Renovations Project in the amount of \$800,000, motion to adopt by Menard, seconded by Mouton.

Huval explained that this ordinance addresses the Administration and Field Operations facilities at LUS on Walker Road. The buildings are 12 and 15 years old and are experiencing leaks in both. Appropriate repairs are needed to maintain the integrity of the facilities. He urged adoption of this ordinance. Stevenson stated that this ordinance and the next three ordinances were approved in the LPUA Meeting.

The Chair then called for a vote on the motion, and the vote was as follows:

YEAS: Badeaux, Castille, Williams, Benjamin, Broussard, Trumps, Mouton, Stevenson, Menard

NAYS: None ABSENT: None RECUSED: None

Motion was unanimously approved.

(TAPE 2)(SIDE B)(348) <u>AGENDA ITEM NO. 20</u>: <u>O-333-2003</u> An ordinance of the Lafayette City-Parish Council amending the Lafayette City-Parish Consolidated Government Code of Ordinances Section 94-85(b) to provide for a 5% late payment charge for commercial utilities customers, motion to adopt by Mouton, seconded by Stevenson, and the vote was as follows:

YEAS: Badeaux, Castille, Williams, Benjamin, Broussard, Trumps, Mouton, Stevenson, Menard

NAYS: None ABSENT: None RECUSED: None

Motion was unanimously approved.

Upon questioning by Broussard, Huval explained that the \$5.00 charge was placed on both residential and commercial accounts. The 5% will only be placed on commercial accounts. Research has proved that other utility companies are charging or more. In the last year there have been 18,000 occurrences where commercial customers have not paid on time.

(TAPE 2)(SIDE B)(458) <u>AGENDA ITEM NO. 21</u>: <u>O-334-2003</u> An ordinance of the Lafayette City-Parish Council amending the FY 03/04 Operating Budget of the Lafayette City-Parish Consolidated Government by decreasing Director's Reserve and increasing amounts appropriated for salaries and benefits for the Transmission and Distribution Division in the amount of \$6,869, motion to adopt as amended (amendment being to change \$6,869 to \$55,325 in the title; add a new Section 2: The FY 03/04 Operating Budget of the Lafayette City-Parish Consolidated Government is also hereby amended by decreasing Director's Reserve and increasing salaries and benefits in the Water Distribution, Water Production and Wastewater Collection Divisions by \$34,154; add a new Section 3: The FY 03/04 Operating Budget of the Lafayette City-Parish Consolidated Government is also hereby amended by decreasing Director's Reserve and increasing salaries and benefits in the Customer Service Division by \$12,191; and changing Section 3 and 4 to Section 5 and 6) by Benjamin, seconded by Badeaux.

Huval explained that this ordinance was introduced in anticipation of Civil Service action on the realignment of several Linemen in the Transmission & Distribution Division. Since the time they were introduced, the Civil Service Director has apprised LUS of an additional Lineman needing realignment. Consequently, the Department is requesting that the ordinance and budget revision reflect this. In addition, two other Civil Service actions necessitate changes in our budget. LUS is requesting that said ordinance also be amended to reflect these two items, 1) Changes in Water and Wastewater Divisions – a. Reallocation of Utility Repairmen to Maintenance Workers, b. Pay range adjustments to Water Plant Operators due to certification requirements, and 2) Changes in Customer Service Division – As the new Customer and Meter Service Administrator position is filled, there will be some shifting of personnel that will require additional funding.

Upon questioning by Williams, Huval explained that this is not the whole department. It's the areas he has identified as areas where LUS was having a hard time filling positions because of the demand for State certification. There are approximately 40 - 50 people in the Water Distribution Division and Wastewater Collection Division and in the utility repairmen's side there are 5 who have their certification. The ones who do not have their certification have the opportunity to do so. Williams requested a synopsis on comparing the two plans between market-sensitive positions and this initiative on total employees.

Stevenson opined that everyone in government needs a raise but it's not affordable. Huval has come up with a plan that is workable, 5% is an arbitrary number. Also, this plan gives incentive for one to get certified and LUS needs these people. He urged support of Huval's plan.

Upon questioning by Menard, Weber explained that a true market-aligned pay plan has not been developed yet. The positions in question have been identified but, without further research, could cause a ripple effect with other employees.

A substitute motion was offered by Benjamin, seconded by Williams to give the same raise (5%) to the water and sewer departments as the rest of the employees, and the vote was as follows:

YEAS: Badeaux, Williams, Benjamin

NAYS: Castille, Broussard, Trumps, Mouton, Stevenson, Menard

ABSENT: None RECUSED: None *Motion failed*.

The Chair then called for the vote on the original motion as amended, and the vote was as follows:

YEAS: Badeaux, Castille, Williams, Broussard, Trumps, Mouton, Stevenson, Menard

NAYS: Benjamin ABSENT: None RECUSED: None Motion was approved.

(TAPE 3)(SIDE A)(128) <u>AGENDA ITEM NO. 22</u>: <u>O-335-2003</u> An ordinance of the Lafayette City-Parish Council authorizing the Lafayette City-Parish President and the Lafayette Public

Utilities Authority Chair to enter into an Intergovernmental and Joint Cooperative Agreement with the Louisiana Energy and Power Authority for the transfer of a Bentley Nevada Turbine Vibration System no longer needed for public purposes, motion to adopt by Mouton, seconded by Menard, and the vote was as follows:

YEAS: Badeaux, Castille, Williams, Benjamin, Broussard, Trumps, Mouton, Stevenson, Menard

NAYS: None ABSENT: None RECUSED: None

Motion was unanimously approved.

(TAPE 3)(SIDE A)(142) <u>AGENDA ITEM NO. 23</u>: <u>O-336-2003</u> An ordinance of the Lafayette City-Parish Council declaring the 2004 Electric Power Generation Addition Project a public necessity and authorizing the acquisition of the necessary rights-of-way and other property rights requisite to the construction, operation and/or maintenance of said project, either on an amicable basis or through the expropriation process, if necessary, motion to adopt by Menard, seconded by Stevenson, and the vote was as follows:

YEAS: Badeaux, Castille, Williams, Benjamin, Broussard, Trumps, Mouton, Stevenson, Menard

NAYS: None ABSENT: None RECUSED: None

Motion was unanimously approved.

LUS Director Huval gave the following presentation on preparing to meet Lafayette's growing electrical needs:

## **Existing Generation:**

Rodemacher Power Station - Boyce, LA

- Coal
- LPPA(LUS) 50%, CLECO 30%, LEPA 20%
- CLECO Operates the Unit
- Maximum Generation (Lafayette's share) 246 MW

Doc Bonin Power Station

- 3 natural gas-fired steam powered units
- 175MW, 75MW, 45MW Total of 295 MW

SWPA Hydro Generation

• Lafayette's share – 18MW

## **Total LUS Generation – 559MW**

System Reliability Consideration

- The transmission grid in South Louisiana has proven to be less reliable even during low electrical demands! (Indications are these problems will be long-term and may worsen in the future.
- The best way to protect Lafayette customers from incurring disruption in service due to transmission grid limitations is to build new generation in Lafayette.

## Observations

- Customer Demands LUS electrical power needs will reach its existing generation resources in 2007
- Aging Units Existing LUS gas-fired steam generation resources range from 28 to 40 years old. We must prepare to replace this capacity as these units reach the end of their useful, economic lives.
- Future Developments even without any future annexations, it is estimated that at least another 135 megawatts of generation will be needed to serve undeveloped properties within the existing City limits of Lafayette.
- Market Opportunity 30 40 year low interest rates and a beneficial market to purchase new generation technology provide a unique opportunity to add generation at previously unexpectedly low costs.
- Timeline LUS recommends making provisions to expand generation so that additional capacity is in place by 2006.
- Reduce Electric Charges Retail electric charges can be reduced due to lower fuel costs and operating costs related to adding more efficient modern generating units.

**Additional Supporting Information** 

Enhanced Efficiency

- The generation units proposed use proven jet engine technology to power the electric generators at an efficiency approximately 20% or better (as compared to existing 1960's vintage LUS natural gas fueled steam generators)
- Based on current natural gas prices of \$5 per MMBTU (currently about \$7), the estimated fuel savings would be about \$10 million a year! Variable Operations and Maintenance costs would also be reduced by nearly \$10 million a year!

## Black Start Reliability

- Proposed units also provide LUS with the critical Black Start capability LUS did not have after Hurricane Lili isolated the LUS system from the power transmission grid.
- With these units, LUS estimates it could have restored service to nearly 50% more of its customers by the evening of Hurricane Lili's departure.
  - Existing units take about 12 hours to start up, and need external electric power to do so.
  - o Proposed new units can generate power within 20 minutes, and can be started without an external power source.

#### Current Operation and Maintenance

- Existing Doc Bonin gas-fired steam units are very expensive to maintain and complex to operate.
- As the electric industry continues to migrate to new generation technologies, it is expected these vintage units will become more difficult and expensive to maintain economically.

#### Location Flexibility

- The proposed units have the flexibility to be installed at locations other than the existing Doc Bonin site, thereby providing additional operating advantages.
- Examples include: Getting power on sooner to other parts of the city and reducing LUS transmission line loading during certain contingency conditions.

#### ADDITIONAL SUPPORTING INFORMATION

## Property Availability

• Industrial zoned properties have been identified in the general areas near Northpark and Southpark Industrial Parks to locate these units.

## Additional Generation

- Units being considered would provide 45 or 100 megawatts of power. It is proposed that two 45-megawatt units be installed at one location and a 100-megawatt unit be installed at another location.
- This proposal would provide 190 megawatts of power generation.

#### **Cost Implications**

## **Projected Costs**

- Requires bond issue of about \$111 million
  - o Results in debt service of about \$7.8 million per year

#### Rate Impact

- LUS will be retiring about \$6.3 million of annual debt service in November, 2004
- LUS will receive additional revenues related to future retail growth and new wholesale opportunities due to the attractive efficiencies of these new units
- Due to the fuel efficiencies alone, LUS retail customers will see a decrease in their electric bills.

#### General Plan of Action

- LUS engaged R. W. Beck to assist with the feasibility and rate studies.
- LUS proposes purchasing property near two major LUS transmission lines in the vicinity of Northpark and Southpark property
- These two locations were chosen because:
  - $\circ$   $\;$  They provide optimum benefit to the reliable operations of LUS transmission grid
  - o In the vicinity of natural gas pipelines necessary to fuel the new generation units
  - Because the aesthetics of these industrial-type units would not interfere with residential areas.

#### **Action Being Requested**

- LUS be given authorization to purchase suitable properties in these areas to locate these units
  - o Estimate cost of the properties is \$1 million
- The LUS CIP plan includes \$111 million for the estimated total cost of this Generation Project.

#### Future Actions will be Necessary

- 1. Issuance of bonds for this project will require numerous actions by the LPUA and Council.
- 2. LUS, through Bond Counsel, will develop a timeline of decisions, which will be necessary to bring this project to fruition.
- 3. By moving forward with the requested property purchases now, LUS can begin the environmental permitting process.

Upon questioning by Williams, Huval explained that the facility at Walker Road is operating at the maximum capability it has today. Many have had to be de-rated because of age; however, all units are available to operate. Once the new units are up and running, these units will still be necessary to augment the load. The level of production for Walker Road will be the most generation LUS has in any one location.

#### The following individuals were recognized:

Louis Kellogg agreed that Lafayette would need more generating systems in the future; however, the difference between gas and coal is the big question. Importing gas has already started and questioned what the gas prices are going to be in the future.

Stevenson rebutted that cost is not feasible because of the Clean Air Act and other government regulations.

Patrick Brasseaux refuted remarks made by him in the local newspaper regarding Mr. Huval. He stated he would not question Huval's expertise on this subject and the Council should not either.

(TAPE 3)(SIDE B)(041) <u>AGENDA ITEM NO. 24</u>: <u>O-338-2003</u> An ordinance of the Lafayette City-Parish Council amending Ordinance No. O-229-2001, which established a moratorium on any new capital construction projects and extension of the moratorium through fiscal year 2007, motion to adopt by Broussard, seconded by Badeaux, and the vote was as follows:

YEAS: Badeaux, Castille, Williams, Benjamin, Broussard, Trumps, Mouton, Stevenson, Menard

NAYS: None ABSENT: None RECUSED: None

Motion was unanimously approved.

(TAPE 3)(SIDE B)(051) <u>AGENDA ITEM NO. 25</u>: <u>O-339-2003</u> An ordinance of the Lafayette City-Parish Council amending Ordinance No. O-184-2003 adopting the operating budget of the Lafayette City-Parish Consolidated Government for the Fiscal Year beginning November 1, 2003 and ending October 31, 2004, motion to adopt by Menard, seconded by Castille, and the vote was as follows:

YEAS: Badeaux, Castille, Williams, Benjamin, Broussard, Trumps, Mouton, Stevenson, Menard

NAYS: None ABSENT: None RECUSED: None

Motion was unanimously approved.

#### ANNOUNCEMENT OF VACANCY ON BOARDS/COMMISSIONS

(TAPE 3)(SIDE B)(062) <u>AGENDA ITEM NO. 26</u>: Due to a term expiration, a vacancy will exist on the Board of Zoning Adjustment for a three year term effective January 19, 2004. This slot is for an alternate.

Individuals wishing to volunteer may submit resumes for the above vacancy must be a registered voter and a resident of the corporate limits of the City of Lafayette. Resumes are to be forwarded to Norma A. Dugas, Clerk of the Council, P.O. Box 4017-C, Lafayette, LA 70502 no later than noon, Monday, January 5 with Council appointment to be made on January 6, 2004.

# CONSIDER APPOINTMENTS BY THE COUNCIL, AS A WHOLE, TO FOLLOWING BOARDS/COMMISSIONS

(TAPE 3)(SIDE B)(072) <u>AGENDA ITEM NO. 27</u>: Appointment of <u>Patrick Domingue</u> to the Teche-Vermilion Fresh Water District for a two year term effective December 31, 2003.

A motion was offered by Mouton, seconded by Menard to appoint Patrick Domingue to the Teche-Vermilion Fresh Water District, and the vote was as follows:

YEAS: Badeaux, Castille, Williams, Benjamin, Broussard, Trumps, Mouton, Stevenson, Menard

NAYS: None ABSENT: None RECUSED: None

Motion was unanimously approved.

(TAPE 3)(SIDE B)(091) <u>AGENDA ITEM NO. 28</u>: Appointment of <u>Thomas Rogers</u> to the Lafayette Convention and Visitors Commission for a four year term effective December 31, 2003

Councilmember Williams nominated John Allen Broussard; Councilmember Stevenson nominated Pete Rizzo, Jr.; and Councilmember Mouton nominated Thomas Rogers, and the vote was as follows:

J. BROUSSARD: Williams, Benjamin, Broussard

P. RIZZO: Stevenson, Menard

T. ROGERS: Badeaux, Trumps, Mouton

ABSENT: Castille

Due to a tie vote another vote was taken.

J. BROUSSARD: Williams, Benjamin, Broussard

T. ROGERS: Trumps, Mouton, Stevenson, Menard, Badeaux

ABSENT: Castille

Mr. Thomas Rogers was appointed.

(TAPE 3)(SIDE B)(125) <u>AGENDA ITEM NO. 29</u>: Appointment(s) by Council member(s) and/or City-Parish President and/or Area Mayors, and/or any other direct appointing authority.

Appointing <u>Authority</u>	Appointee Name And Address	Board, Commission And/or Legal Agency	<u>Term</u>	Effective Date
C-P District 5	John Hebert 108 Chamberlain Rd. Rayne, LA 70578	Lafayette Parish Water- Works District South	to fill an unexpired term till 11/4/2005	01/05/2004
C-P District 4	Christine Castille 203 Begnaud Dr. Lafayette, LA 70501	Lafayette Natural History Museum Commission	4 years	02/02/2003
C-P District 4	Dr. Raphael Baranco 200 Alfred Lafayette, LA 70501	Citizen Advisory Commission to the MPO	4 years	09/17/2003

## INTRODUCTORY ORDINANCES

(TAPE 3)(SIDE B)(137) <u>AGENDA ITEM NO. 30 - 35</u>: A motion was offered by Menard, seconded by Williams, to approve the following ordinances for introduction, except Items 33 and 34, and the vote was as follows:

YEAS: Badeaux, Williams, Benjamin, Broussard, Trumps, Mouton, Stevenson, Menard

NAYS: None ABSENT: Castille RECUSED: None

Motion was unanimously approved.

- 30. <u>O-340-2003</u> An ordinance of the Lafayette City-Parish Council amending the FY 03/04 Capital Budget of the Lafayette City-Parish Consolidated Government to allocate funds requested by District Judges for Parish Courthouse renovations.
- 31. O-341-2003 An ordinance of the Lafayette City-Parish Council authorizing the Lafayette City-Parish President to execute a Joint Cooperative Endeavor Agreement between the Lafayette City-Parish Consolidated Government ("LCG") and the Oil Center

Renaissance Association ("Association") concerning the property located on Girard Park Drive.

- 32. O-342-2003 An ordinance of the Lafayette City-Parish Council amending the FY 03/04 Operating Budget increasing revenues in the amount of \$3,738.00 received from the U.S. Department of Justice Federal Forfeited Property for Asset #03-DEA-421077, and appropriating to the Lafayette Police Department (hereinafter "LPD") for the purchase of law enforcement supplies and equipment to be used within Criminal Investigations Section of the Police Department.
- 35. O-345-2003 An ordinance of the Lafayette City-Parish Council approving the application submitted by the Dill Holdings Company, L.L.C., James M. Dill owner, for participation in the State of Louisiana Restoration Tax Abatement Program.

(TAPE 3)(SIDE B)(160) <u>AGENDA ITEM NO. 36</u>: Comments from the public concerning the above Introductory Ordinances.

Judge Jules Edward was recognized regarding Item No. 30. Judge Edwards thanked the Council for moving forward on his request for Courthouse renovations.

(TAPE 3)(SIDE B)(180) <u>AGENDA ITEM NO. 33</u>: <u>O-043-2003</u> An ordinance of the Lafayette City-Parish Council amending the FY 03/04 Operating Budget of the Lafayette City-Parish Consolidated Government by amending the manning tables of the Environmental Quality - Code Enforcement Division to reinstate one Environmental Services Supervisor and delete one Environmental Services Inspector as approved by Civil Service, a motion to approve for introduction was offered by Mouton. *Motion died for lack of a second.* 

(TAPE 3)(SIDE B)(192) <u>AGENDA ITEM NO. 34</u>: <u>O-344-2003</u> An ordinance of the Lafayette City-Parish Council amending Ordinance No. O-226-2003, specifically the exhibition contract relating to "Exhibition Contract Payment" and "Settlement", a motion to approve was offered by Williams, seconded by Broussard, and the vote was as follows:

YEAS: Badeaux, Castille, Williams, Benjamin, Broussard, Trumps, Mouton,

NAYS: Stevenson, Menard

ABSENT: None RECUSED: None Motion was approved.

## **ADJOURN**

(TAPE 3)(SIDE B)(204) There being no further business to come before the Council, Chair Trumps declared the Regular Council Meeting adjourned.

NORMA A. DUGAS, CLERK LAFAYETTE CITY-PARISH COUNCIL